

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Change the Classification of Man-made Wetlands

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 38 MRSA §480-B, sub-§4, ¶B, as amended by PL 1995, c. 460, §1 and affected by §12, is further amended to read:

B. Inundated or saturated by surface or groundwater at a frequency and for a duration sufficient to support, and ~~which~~that under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils; ~~and~~

Sec. 2. 38 MRSA §480-B, sub-§4, ¶C, as enacted by PL 1987, c. 809, §2, is amended to read:

C. Not considered part of a great pond, coastal wetland, river, stream or brook-; and

Sec. 3. 38 MRSA §480-B, sub-§4, ¶D is enacted to read:

D. Not man-made wetlands.

Sec. 4. 38 MRSA §480-B, sub-§5-B is enacted to read:

5-B. Man-made wetlands. "Man-made wetlands" means wetlands that are created solely as a result of human activity, except that "man-made wetlands" does not include wetlands created in connection with a compensation project pursuant to section 480-Z.

SUMMARY

The bill exempts man-made wetlands from state regulation under the Natural Resources Protection Act unless the man-made wetlands were created in connection with a compensation project.